



# City of Highland

## Department of Community Development

### Building Division

#### City of Highland Combined Planning and Zoning Board Minutes of the May 4, 2011 meeting

Chairperson Korte called the meeting to order at 7:00 p.m. Members present were Lodes, Koehnemann, Painter, Voegelé, and Korte. Vance and Gallatin were absent. Also present were City Attorney Long, Chief Building & Zoning Official Limestall, Recording Secretary Walter and 7 citizens.

#### Minutes

The minutes of the March 2, 2011 meeting were approved with no corrections or additions.

#### Public Comment

Chairperson Korte opened the Public Comment section. Receiving no comments  
Chairperson Korte closed the Public Comment Session.

#### Public Hearing

Chairperson Korte opened the Public Hearing for a Special Use Permit request by Matthew Bugger 1505 12<sup>th</sup> St Highland to convert an existing two-family dwelling at 1306 6<sup>th</sup> St Highland IL into condominiums. Mr. Bugger was present to answer any questions. Limestall explained that Mr. Bugger originally applied for, and was granted, a Special Use permit to convert an existing vacant warehouse to a two-family dwelling. Bugger now wishes to convert the structure to condominiums, which requires another Special Use Permit. Limestall stated this is consistent with the Comprehensive Plan, would not be a detriment to the neighborhood, and the City recommends granting a Perpetual Special Use permit. Hearing nothing further Korte closed the Public Hearing session. Motion made by Voegelé to recommend approval of a Perpetual Special Use permit. Seconded by Painter. Korte entertained discussion on the matter. All members thought this would be a good idea. Hearing nothing further Korte closed the discussion. Roll call taken. Lodes, Koehnemann, Painter, Voegelé, and Korte voted yes. Vance and Gallatin were absent. Motion carried.

Chairperson Korte opened the Public Hearing for variance request by Alan & Charis Hoffmann, 130 Sun Court Highland IL to allow an above ground pool to be placed 3 ft closer to the house than is allowed per Section 90-73(4) of the City of Highland Municipal Code. Mr. Hoffmann was present to answer any questions. Limestall explained the homeowners wish to place the pool closer to the house to maintain a code requirement of 22 ft clearance from the surface of the pool water to overhead power lines. There were no neighbors in attendance that objected to the variance.

Hearing nothing further Korte closed the Public Hearing session. Motion made by Lodes to recommend approval of the variance as requested. Seconded by Voegelé. Korte entertained discussion on the matter. Voegelé asked if there were any other issues other than the pool placement. Limestall replied no. Hearing nothing further Korte closed the discussion. Roll call taken. Lodes, Koehnemann, Painter, Voegelé, and Korte voted yes. Vance and Gallatin were absent. Motion carried.

Gallatin arrived at 7:10 p.m.

Chairperson Korte opened the Public Hearing for a 20' rear lot line variance request by Nicholas & Angela Lappe, 15 Augusta Drive Highland IL to construct a 3 ft retaining wall in the utility easement per Section 90-12 of the City of Highland Municipal Code. Mr. Lappe was present to answer any questions. Limestall explained Mr. Lappe has a moderately sloped backyard with a 20' rear lot line utility easement at the rear of the yard. This only leaves him with approximately 17 ft of usable space. He wishes to construct a 28-inch high retaining wall in the easement to level out the yard. Public Works Director Joe Gillespie provided a letter recommending the Board not grant this request. Mr. Lappe clarified that he would like to construct the wall at his own risk, knowing that if the City had to gain access to make repairs the wall would be removed and not replaced by the City. Lappe provided pictures of the drainage issues and the sloped yard. Korte requested clarification of the location of the wall. Lappe stated there is a 3 ft drainage swale that would abutt the wall. Lodes asked how far from sewer the wall would be located. Lappe replied the sewer is approximately 5 ft from the rear property line and the wall would not go directly over the sewer line. Korte asked if the entire 20 ft easement is on Lappe's property. Lappe replied yes. Korte stated if this variance were granted then everyone would want to do this. The Board grants very few variances on easements. Lappe stated that type of request should be reviewed on a case-by-case basis. Korte asked if it would be possible to construct the wall west of the sewer line. Lappe replied that if the wall were on the east side of the sewer then the City's machinery would be entirely on his property and not on the neighbors. Painter was concerned about the liability if the City would have to access the easement after the Lappes' no longer lived there since there are three different utilities located in that easement. Hearing nothing further Korte closed the Public Hearing session. Motion made by Voegelé to recommend approval of the variance as requested. Seconded by Gallatin. Korte entertained discussion on the matter. Hearing nothing further Korte closed the discussion. Roll call taken. Koehnemann, Lodes, Painter, and Korte voted no. Voegelé voted yes. Motion denied.

Adjournment at 7:40 p.m.